IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 317 of 1997

For Approval and Signature:

HON'BLE MR. JUSTICE ANANT S DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

HJ RATHOD

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 317 of 1997

MR KV SHELAT for Petitioner No. 1

MS.MITA S. PANCHAL, AGP for Respondent No. 1

NOTICE SERVED BY DS for Respondent No. 2

CORAM : HON'BLE MR. JUSTICE ANANT S DAVE

Date of decision: 20/12/2004

ORAL JUDGEMENT

#. That the main grievance raised in this petition under Article 226 of the Constitution of India is to issue

appropriate writ, order or direction to the respondents to consider the case of the petitioner to promote him as Mamlatdar, on the vacancy available for Scheduled Caste candidates. This matter was admitted and Rule came to be issued by order dated 31st January, 1997.

#. When the matter is called out today for final hearing, the learned AGP Ms. Mita S. Panchal has made a statement on the basis of information available with her that the petitioner is promoted to the post of Mamlatdar on 8.2.2002 by order of the said date and, therefore, grievance raised in the petition does not survive. Copy of the said order dated 8.2.2002 is taken on record. Rule stands discharged with no order as to costs.

#. With regard to deemed date or the claim made by the petitioner, as the representation of the petitioner dated 24.12.96 remains as undecided, the respondent authority will look into the grievances of the petitioner and pass appropriate order in accordance with law.

[ANANT S. DAVE, J.]
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